

REMARKS

Reconsideration and allowance are respectfully requested in light of the above amendments and the following remarks.

Proposed changes to Figs. 1, 2, and 5 are submitted herewith to overcome the objections thereto.

The specification has been amended to overcome the objections identified in the Office Action. No new matter is believed to be introduced by this amendment.

Claims 1-5 have been cancelled in favor of new claims 6-11, which better define the subject matter Applicant regards as the invention. Support for claims 6-11 is provided in the original claims, Fig. 5, and the specification on page 13, line 26, through page 16, line 4.

Claims 1-5 were rejected, under 35 USC §103(a), as being unpatentable over Cimini, Jr. et al. (US 6,005,876) in view of Ohashi (US 5,799,245). To the extent these rejections may be deemed applicable to new claims 6-11, the Applicant respectfully traverses.

Claim 6 recites an OFDM communication apparatus having a plurality of transmitters that transmit or retransmit a plurality of modulated signals, which are arranged on a plurality of subcarriers, simultaneously from a plurality of branches. Each

transmitter has a corresponding branch and transmits or retransmits one of the modulated signals arranged on one of the plurality of subcarriers from the corresponding branch. Also, a first modulated signal, arranged on a first subcarrier of the plurality of subcarriers, is selected from among the plurality of modulated signals with respect to a first branch and a second branch that are different from each other. The first modulated signal is: (1) output to a first transmitter of the plurality of transmitters that has a first branch as the corresponding branch, in a case of transmitting the plurality of modulated signals and (2) output to a second transmitter that has a second branch as the corresponding branch, in a case of retransmitting the plurality of modulated signals.

In short, the first modulated signal is selected with respect to the first branch and the second branch. In other words, each of the modulated signals to be transmitted or retransmitted simultaneously from a plurality of branches is selected with respect to a branch for transmission and another branch for retransmission.

By selecting the first modulated signal with respect to the branch for transmission and the branch for retransmission, it is realized that information on a branch selected for each of the

modulated signals at the time of transmission, which is previous to retransmission, can be provided to a system (hereinafter referred to as "branch switching system") to switch a branch for each (e.g., the first modulated signal) of the modulated signals in accordance with the number of retransmissions (e.g., in the case of transmission, the number of retransmissions is zero, and in the case of retransmission, the number of retransmissions is one). Therefore, a branch for each of a plurality of modulated signals to be transmitted or retransmitted simultaneously from a plurality of branches can be reliably switched.

On the other hand, Cimini discloses selecting subcarriers/tones for an antenna and varying subcarriers/tone assignments among antennas. However, Cimini does not disclose or suggest any control in accordance with the number of retransmissions.

Also, Ohashi discloses selecting an antenna in accordance with the number of retransmissions. Although, when the retransmission technique is introduced to the branch switching system, some kind of element is essential to provide the branch switching system with the above-mentioned information. Ohashi does not disclose or suggest any specific element to provide the branch switching system with the above-mentioned information.

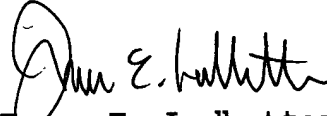
That is, Cimini and Ohashi do not disclose or suggest the feature of the present invention, i.e., each of the modulated signals to be transmitted or retransmitted simultaneously from a plurality of branches is selected with respect to a branch for transmission and another branch for retransmission. As a result, the above-mentioned feature of the invention defined by claim 6 cannot be reached from the teachings of Ohashi and Cimini.

Accordingly, Applicant submits that the applied references, considered alone or in combination, do not teach or suggest the subject matter defined by claim 6. Claim 11 similarly recites the feature distinguishing apparatus claim 6 from the applied references, though with respect to a method. For similar reasons that this feature distinguishes claim 6 from the applied references, so too does it distinguish claim 11. Therefore, allowance of claims 6 and 11 and all claims dependent therefrom is warranted.

In view of the above, it is submitted that this application is in condition for allowance and a notice to that effect is respectfully solicited.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to telephone the undersigned at the local Washington, D.C. telephone number listed below.

Respectfully submitted,



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Date: January 28, 2005
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IN THE DRAWINGS

Proposed changes to Figs. 1, 2, and 5 are submitted herewith, with a Letter to the Official Draftsman.

RELATED ART

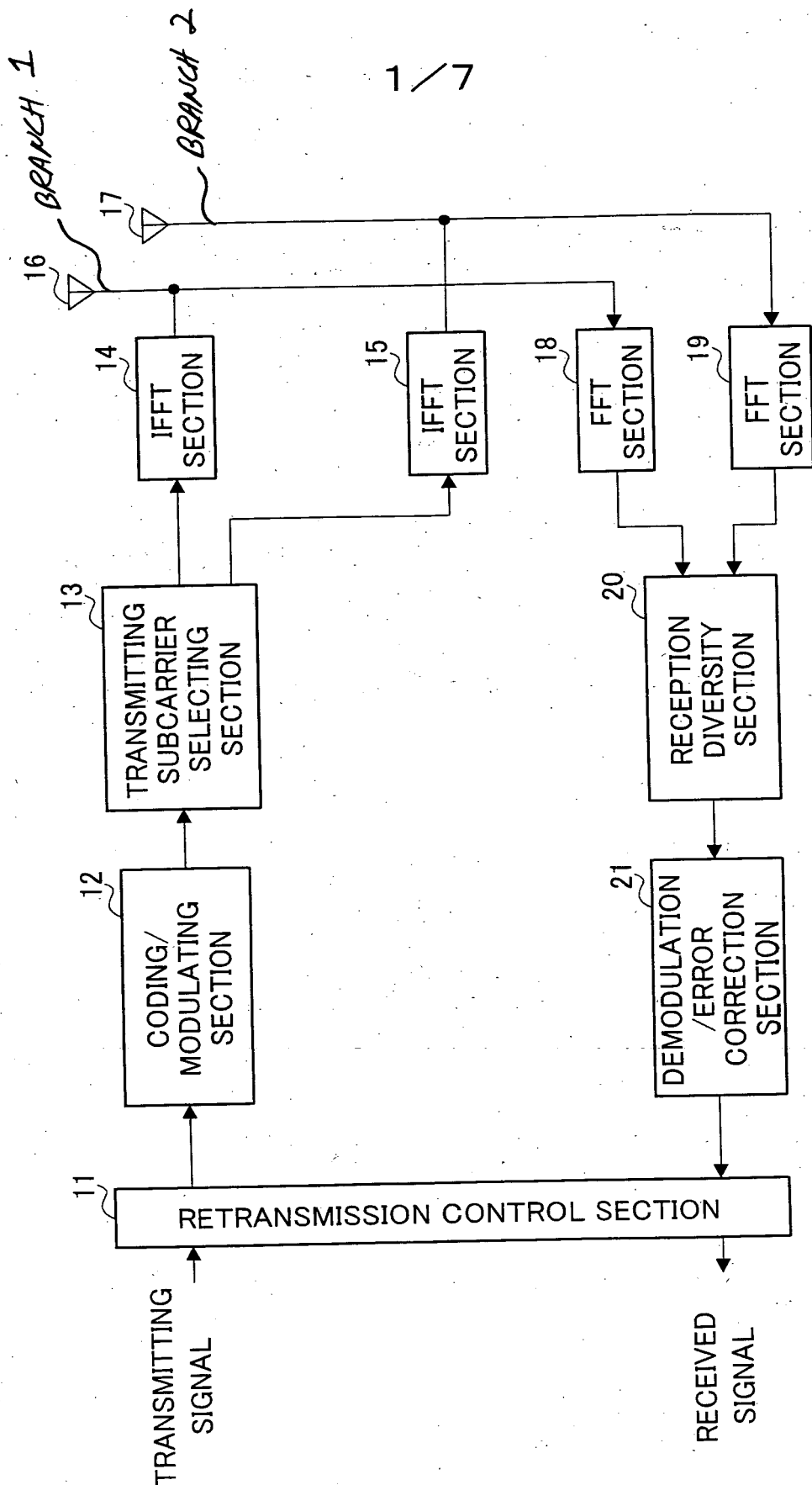


FIG.1





RELATED ART

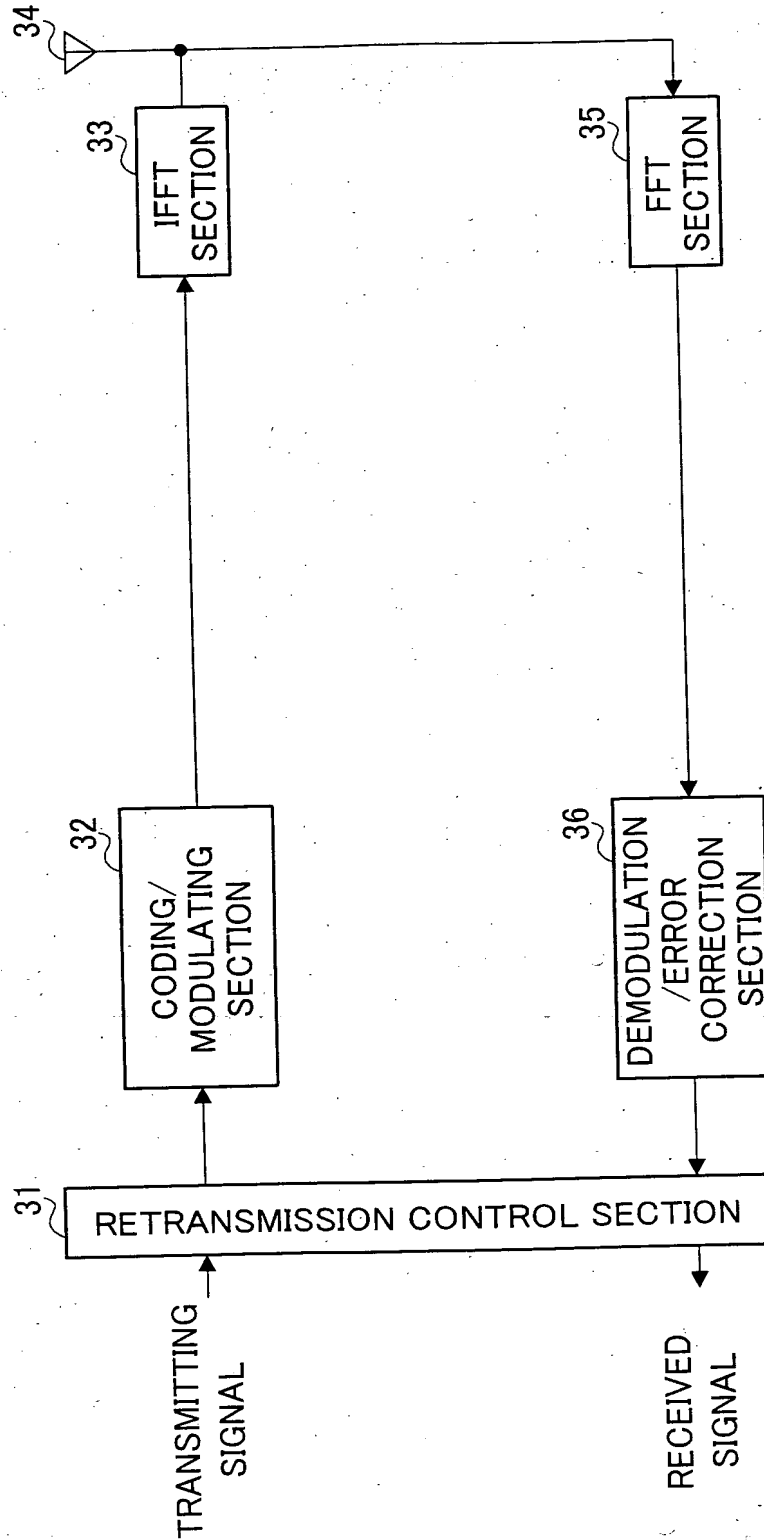


FIG.2

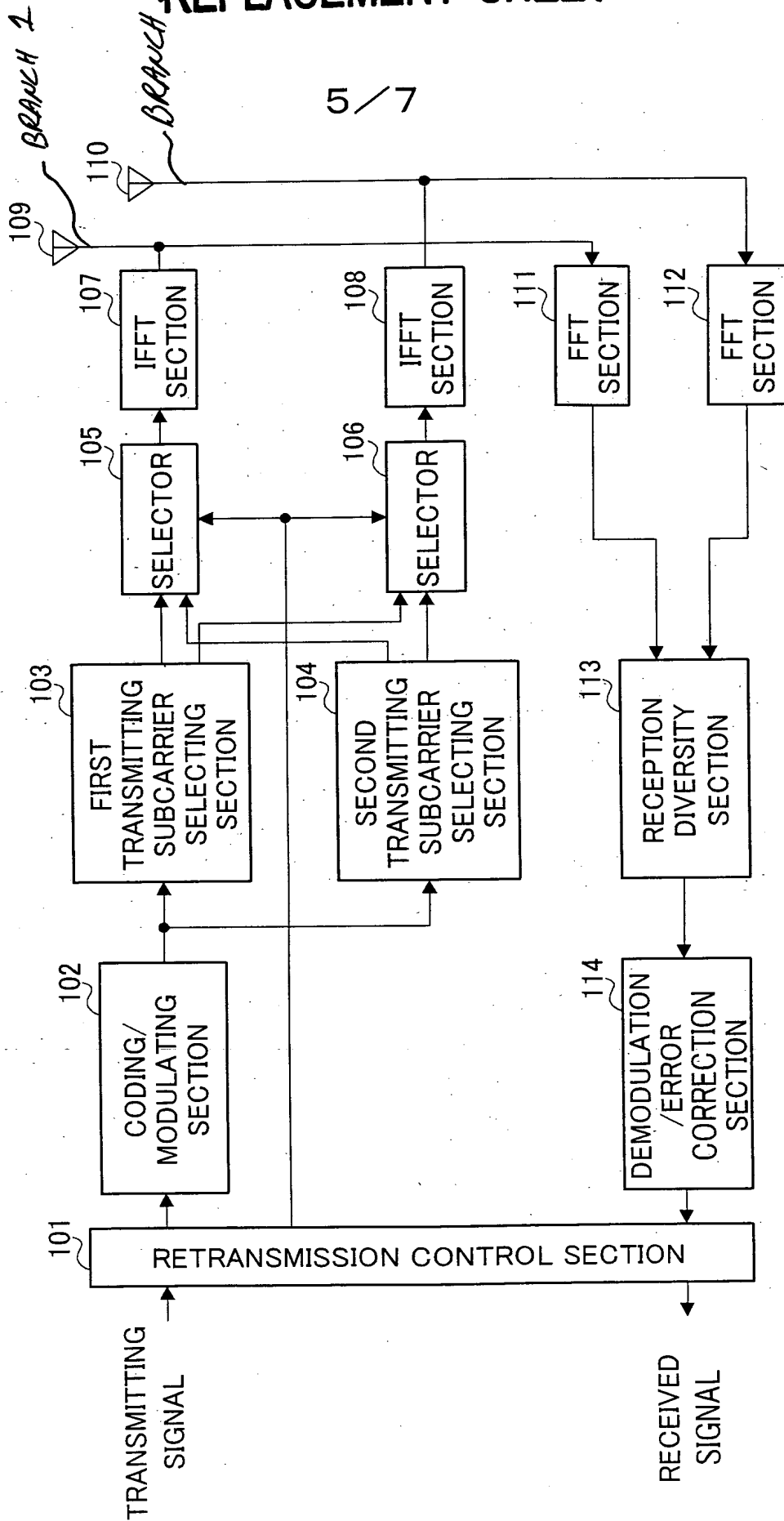


FIG.5